

PROB 12B  
(7/93)

**United States District Court**

for the

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

FEB 26 2014

SEAN F. McAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Richard Allen Counts      Case Number: 0980 2:07CR02066-001  
Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge  
Date of Original Sentence: January 17, 2008      Type of Supervision: Supervised Release  
Original Offense: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)      Date Supervision Commenced: September 13, 2013  
Original Sentence: Prison - 100 M; TSR - 48 M      Date Supervision Expires: September 12, 2017

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 17      You shall not associate with known criminal street gang members or their affiliates.
- 18      You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

**CAUSE**

Mr. Counts agrees he should not have contact with gang members or their affiliates. He recently entered substance abuse treatment and as a requirement of the program is to totally abstain from all drug and alcohol, therefore, in an effort to support the defendant's sobriety, the addition of the alcohol condition has been recommended and agree to by Mr. Counts.

Respectfully submitted,

by      s/Stephen Krous

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Stephen Krous  
U.S. Probation Officer  
Date: February 25, 2014

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**Re: Counts, Richard Allen**

**February 25, 2014**

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**THE COURT ORDERS**

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

2/26/14

Date